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VGENP056US  
US PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Application No. : 09/536,111  
Application of : Izmailov et al.  
Filing Date : March 24, 2000  
For : Method for Alignment of DNA Sequences with  
Enhanced Accuracy and Read Length  
Attorney Docket No. : VGEN.P-56-US

RESPONSE TO NOTICE TO FILE MISSING PARTS

Responsive to the Notice to File Missing Parts of Nonprovisional Application mailed August 2, 2000 for the above-referenced application, enclosed is the signed Declaration and check number 6751 in the amount of \$65.00 to cover the surcharge for a small entity as set forth in 37 CFR 1.16(e).

Also enclosed is a verified statement claiming small entity status.

Respectfully submitted,

Marina T. Larson  
Attorney for Applicant  
PTO Reg. No. 32,038  
(970)468-6600

Enclosures

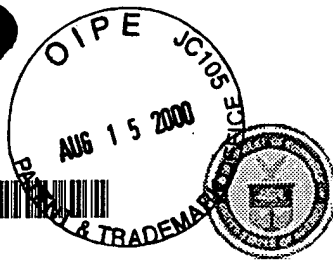
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I hereby certify that this paper and the attachments named herein are being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on August 9, 2000  
August 9, 2000  
Date of Signature

  
Stephanie G. Redenz

## FORMALITIES LETTER



\*OC000000005290530\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/536,111	03/24/2000	IZMAILOV ..	VGEN.P-056-US

021121

.OPPEDAHL AND LARSON LLP

P O BOX 5068

Dillon, CO 80435-5068

Date Mailed: 08/02/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Small Entity Statement is missing.
- **The balance due by applicant is \$ 493.**

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

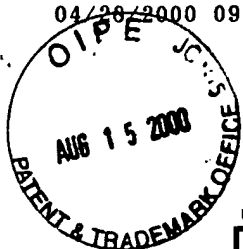
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/17/2000 GTEFFERA 00000123 09536111

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65.00 OP



Approved for use through 09/30/2000. OMB 0551-0031  
 Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)  
**VGEN.P 036US**

Applicant, Patentee, or Identifier: VISIBLE GENETICS INC.  
 Application or Patent No.: 09/536111  
 Filed or Issued: March 24, 2000  
 Title: Method for Alignment of DNA Sequences with Enhanced and

Read Length  
 I hereby state that I am

- ☐ the owner of the small business concern identified below.  
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN Visible Genetics Inc.

ADDRESS OF SMALL BUSINESS CONCERN 700 Bay Street, Toronto,  
Ontario, M5G 1Z6 CANADA

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Marguerite Ethier

TITLE OF PERSON IF OTHER THAN OWNER Vice President & General Counsel

ADDRESS OF PERSON SIGNING 700 Bay St., Suite 1000, Toronto, ON, CAN, M5G 1Z6

SIGNATURE [Signature] DATE April 13, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.